CONGRESSIONAL RECORD — SENATE

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agreement, I do not see how any man of reason can say it is not progress, that it is not moving shead. It is moving shead in a limited way, but it is moving shead in some way.
Finally, if the Senate should adopt

such reservations, my understanding is that the treaty would have to be renegotiated. This might be fatal to prospects of arriving at an agreement.

Mr. JAVITS. The least one could say as to the cold war questions is that we would have a slightly better prospect of arriving at some agreement with this step than we would if we had made no step at all.

Mr. DODD. That is correct.
The PRESIDING OFFICER CMrs. NEUSERGER in the chair). The time of the Senator has expired.

Mr. MANSFIELD. Madam President, I yield 5 additional minutes to the Sen-

ator from Connecticut. Mr. DODD. I thank the Senator from

Montans.

Madam President, I hope that it will never be necessary for the Senate to recommend that the administration withdraw from the treaty in the manner prescribed in article IV. But if it becomes clear after the passage of time that the treaty is not one that restricts both sides equally and serves both sides equally, and that it is, on the contrary, progressively weakening the relative position of the United States, then the duty of the Senate will be clear; it will have no alternative but to recommend with-

The Senate Preparedness Subcommitdrawal. tee is charged with the responsibility of examining our military preparedness in all its aspects, so that the Senate may act with its guidance and assistance on all matters relating to our military preparedness and our national security. It falls naturally within the purview of the subcommittee's mandate to monitor the conduct of our future test program and to reassess at periodic intervals the impact of the treaty on the defensive pos-

ture of the free world.

It is my intention to introduce a sense resolution calling upon the Senate Preparedness Subcommittee to submit to the Senate at periodic intervals reports on the status of our underground test program, on the status of our laboratories, on the observance of the treaty, and on the impact of the treaty from the standpoint of our national security.

The debate is almost over. The decision is at hand. Ratification is as-If our decision is in error, hissured.

tory will judge us harshly.

Yet, that judgment should be tempered with mercy. For we are ordinary men who have been forced by circumstances to attempt to foretell the future. We are required to choose between two sets of imponderables.

It is not in our power to improve the treaty. We can only accept it or reject it. Either we grasp at this frail hope, or we let it pass, perhaps forever.

We have surrounded this treaty with We have dedicated ourselves to be honest in our observance of it, and to be vigilant in our insistence that others observe it.

I do not know what more we in the lenate can do. Our ratification of this treaty is one sense an act of faith; not of heedless faith, but rather of a larger faith in human

We have reached out of the machtrom in an attempt to sesure the future of

Acting in good faith, acting with noble purpose, our tradition encourages us to hope, and to believe, that this enterprise humanity. will be touched by the hand of God.

INCREASED PAY FOR MEMBERS OF THE UNIPORMED SERVICES

Mr. MANSFIELD. Medans Presiden yield I minute to the Sensior from Herada [Mr. Cannon].

Mr. CANNON. Madam President, I ask unanimous consent that, as in h lative session, a message from the House of Representatives on HR. \$555 be laid

before the Senate.

The PRESIDING OFFICER hald before the Senate a message from the House of Representatives announcing its disagree ment to the amendments of the Benate to the bill (H.R. \$685) to amend title \$7, United States Code, to increase the rate of basic pay for members of the uniformed services, and for other purpo and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. CANNON. I move that the Senate insist upon its amendments, agree to the request of the House for a conference, and that the Chair appoint the conference

on the part of the Benate.

The motion was agreed to; and the Presiding Officer appointed Mr. Rus-sell, Mr. Carnon, Mr. Eavin, and Mr. SALTOMETALL conferees on the part of the Benate.

MESSAGE FROM THE HOUSE

A message from the House of Respresentatives, by Mr. Hackney, one of its reading clerks, announced that House had disagreed to the amendments of the Senate to the bill (H.R. 3888) making appropriations for the Departments of Labor, and Realth, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1964, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. FOSARTY, Mr. DENTON, Mr. CANNON, Mr. LAIRD, and Mr. MICHEL WOFE appointed as managers on the part of the House at the conference.

ORDER OF BUSINESS

Mr. MANSFIELD. Madam President, I yield 20 minutes to the Senator from Utah [Mr. Moss], but I wish to state it is the intention of the leadership to try to divide the time on the treaty as nearly equally as possible between the propon-

Mr. DIRKSEN, Madum Presi will the Benator from Utah yield 2 min-vice to me so that I may yield to the Senator, from New York DMr. Javens 11 Mr. 14006. I yield

ANTI-JEWISH DESCRIMINATION IN THE USAR.

Mr. JAVITS. Madam Freshers, I have taken the time of the Senate only secause of an act that is about to carried out in the Soviet Union. roposed to execute a rabbi of the Jewish faith for a so-called economic cris has so eloquently been said, in a civilian nation it is inconceivable to set capital punishment as a penalty for dealing eve in illegal currency embange.
The tragic fact of government-inspired

The tragic fact of government miss are said and Jewish acts is showing itself again in the Boylet Union and the steady seein the Boylet Union and the steady seein the Boylet Union and the steady seeing the steady seed to be seen to be see cession of confirmed news reports arrests, trials and exceptions presents increasingly dangerous situation for million Jews of the Boviet Umon.

The scope and intensity of recent Boviet discriminations against Jews should remove any remaining doubts the the Jews have been singled out for such special attention by the Kremin.

An aroused world must find ways a means to stop this evil design; our generation has lived through enough harries eration mas avoi aurough enough marri-te he very sensitive to such and Jewis manifestations motorithmanding the Soviet law which makes anti-Se erime. Within the last 2 years at 88 Jowe have been executed out of total of 140 persons condemned for alleged economic offernes. Mass trials in any cities have been markedly an Jewish and Soviet newspapers while loudly denying any prejudices have conspicuously played up the names of reli-Jewish connections of the secured.

The campaign of vilification is wide spread in the rigidly controlled press which has been describing a pross which has been describing seasons.

Jews in un-patriotic, disloyed and seasons.

Sech an effort to build up assistant. Jewish stereotypes in provincial newspapers, particularly in the Ukre White Russia and other regions kno for historic anti-Semitic feelings is not a happenstance in a government or troiled press like that of the U.S.S.R. sher of Jewish religious leads been sentenced to long terms of teaper enunicati ment on charges of our the Izrael Embassy in Moscow in the vious affort to discourage any hope a Soviet Jews may have had of see

to Israel. It is an irony of history that Jews wh once were driven out of Russia in van

numbers should now be deprived of the right of emigration and held eaptive in this way. Along with these mean the Boviet anti-religious drive has a tepped up against all religious gra us hitting especially hard at Jews, alleging the use of symmetree for market profitering and other se sire activities. Synagogues have adlocked on fliner presents; an

this week, on the ere of the high ! days, the only res Minsk, once a great Jewish or ir, was abut down personners. in the Jevish constant been prohibited. A s been prohibited.

Issued in Moscow to shut down Jewish cometeries in that city.

This computer of opposit butcher shop in Moscow which Soviet police closed recently because of alleged unsanitary conditions. The baking of matzos for Passover has been prohibited for the last 2 years, and just 2 days ago the appeal was rejected of three elderly Jews who had been in prison for baking matso in their own home and selling them.

Countless other vicious measures are being employed by the Soviet Government to break down Jewish religious loyalty and cultural identification. No communication with Jews outside the U.S.B.R. is permitted; religious teaching is forbidden; no Jewish books or periodicals are permitted; no theater, no vestige of Jewish culture is allowed to exist.

Let us make no mistake about Chairman Khrushchev's determination to weaken Jewish life in the Soviet Union. Russian Jews are cut off from the rest of the world; they cannot speak for themselves because they live in a closed society where free speech does not exist. They dare not show their interest in Israel, because of fear of reprisals. On their domestic radio they can hear only the voices of pro-Arab propagandists parroting the cruel and flinty anti-Israel line.

The world must protest loud and long if there is to be any hope for the captive Jews of the Soviet Union. Past experience shows that Chairman Khruschev is sensitive to any charge of anti-Semitism. The Soviets pride themselves on having made anti-Semitism a criminal offenseeven though this law is seemingly honored more in the breach than in the observance. In view of the insistent and reliable reports which continue to come out regularly, the Kremlin owes the world an explanation which should be clear, unequivocal and backed by action to show it means to implement its anti-Semitic law.

Quiet protests even on a high level apparently will not work. President Eisenhower in 1959 told Chairman Khrushchev of the great concern of Americans about the treatment of Soviet Jews during the Camp David discussion period. This was followed up by former Secretary of State, Christian Herter, who again expressed our concern this time to Soviet Foreign Minister Gromyko and by others. Efforts in the United Nations have so far not proved effective Worldwide protest is needed.

The ghastly history of Germany's Jews in the 1930's and 1940's, and of Stalin's "Jewish doctor's" terror, are a constant reminder to the world that timely vigilance and protest are demanded of us all. We must do everything in our power individually and collectively to sound the alarm and speak out against the grave danger to Jews in the U.S.S.R. A great surge of indignation—the determined protests not only of Jews but of all free peoples who treasure the rights of the individual must sweep across the world powerfully enough to stop the deadly progression of Soviet anti-Jewish actions.

I ask unanimous consent to have printed at this point in the RECORD an editorial from the New York Herald Tribune of today, entitled "Executing

the Rabbis," and an article from yesterday's New York Times.

There being no objection, the editorial and article were ordered to be printed in the Racoss, as follows:

[From the New York Herald Tribune, Sept. 28, 1968]

EXECUTING THE RABBIE

Bussia, we know, is a land of contrasts, but some of the contrasts being provided by a prominent Soviet eithern. Nikita Ehrushchev, give cause for considerable concern. On the one hand, he is credited with having relaxed the iron grip of previous Bussian rulers. But on the other, he is about to commit a barbarous set of which not even his inhumane predecessor, Stalin, had been accused.

We refer to the sentencing of a flussian rabbi to death on charges that he had committed "economic crimes." No one in the civilized world can possibly accept capital punishment as a penalty for engaging in currency exchange, even if the rabbi were guilty of that offense. If Mr. Khrushchev carries out the sentence, we shall have to conclude that the only way he finds it possible to exterminate judalem in the flowiet Union is by executing its rabbis.

[From the New York Times, Sept. 23, 1968] U.S. Jaws PROTEST TO SOVER ON RASES SECTIMONS TO DEATH

(By George Dugan)

The Rabbinical Council of America, representing more than \$50 Orthodox rabbis, has ledged a formal protest with the Soviet Embasey over the death sentence imposed on a rabbi last month by a Soviet court for alleged speculation in foreign currency and gold.

In a letter to Anatoly F. Dobrynin, Soviet Ambassador to the United States, Rabbi Abraham N. AvRutick, president of the council, charged that the sentence "leaves us with a feeling that a campaign is being waged against religious Jewry in Russia."

The letter dated September 6, continued:
"We feel that it is indispensable that the
Soviet authorities grant full civil, religious,
and communal recognition to the rights,
guarantees, and privileges of this Jewish citimens. Surely, a great country like Russia
should not have to persecute a small minority of dedicated people. It hardly adds to
the dignity of your country or its reputation in the council of nations."

OME OF THREE CONDEMNED

The rabbi condemned by the Soviet court was identified by the Russian Republican newspaper, Sovetskaya Rossiya, as B. Gavrilov. The newspaper reported that the sentence was handed down after a 4-week trial in the Caucasus spa of Pyatigorsk.

The rabbi was one of three persons condemned for so-called economic crimes. He was said to have set up a "real moneychanging office" at his home according to the Soviet newspaper. It did not indicate whether he headed a congregation.

Rabbi Bernard Twersky, press officer for the Rabbinical Council, eaid that if no answer was received "in a few days" the U.S. Covarnment would be asked to intervene with the Eussian delegation at the United Nations.

Dr. Nahum Goldman, president of the World Jewish Congress, reported on September 12 a slow but steady deterioration in the position of Jews in the Soviet Union. He said he believed the entire Soviet Jewish community was being dismantled and spoke of the exceptional ferocity that was applied to Jews convioted of economic offenses. Quoting figures in the Soviet press, he said 140 persons had been condemned between July 1, 1961, and July 1, 1962. He slee proposed reviving a compaign to mobilize world

opinion to bring about a more tolerant Soviet attitude. His report was submitted to manhers of the international conference on the situation of the Jyws in the Soviet Union.

PENALTY CALLED EXCESSIVE

In his letter to the Soviet Ambassaior. Rabbi AvRutick said that while the council cannot comment on the nature of the charge spainst Rabbi Gauritov because of lack of information. "We do feel that the penalty far exceeds the alleged crime." A similar protest was voiced last week by Rabbi Timbak Missim, chief rabbi of Israel.

Meanwhile, the rabbinioni assembly, an international association of conservative rabbis, has saked its members to devote thair Yom Kippur sermons to the plight of Jews in Rissis. Yom Kippur, the Day of Ajonement, begins at supdown on Friday.

The request was issued by Rabbi Theodore Priedman, president of the assembly.

"All reliable observers agree," he said, "that unless some significant shift in the Soviet position vis-a-vis Jewish religious and sultural life in Russia takes place within the nest decade or so, that once great reservoir of Jewish life is doomed to extinction.

"There is no more suitable cocasion for bringing this attuation to the attention of our people as effectively as we can, than on the high hoty days, when we discuss the fate and future of our people."

THE NUCLEAR TEST BAN TREATY

The Senate resumed the consderation of Executive M (88th Cong., 1st sees.), the treaty banning nuclear weapon tests in the atmosphere, in outer space, and underwater.

Mr. MOSS. Madam President, I shall vote to approve the nuclear test ban treaty. I will do this in soberness and after full and deep study and reflection. I will not seek sensationalism by claiming motives which override threats of political oblivion.

This is a time to do one's duty and to forget political advantage. This is the time to reaffirm the bipartisan nature of our dedication to basic foreign policy. The vote of the Foreign Relations Committee and the support given by the distinguished minority leader and the distinguished assistant minority leader encourages me to believe the Senate majority in favor of ratification will be overwhelming.

The signing of a nuclear test ban treaty is a continuation of a policy consistently followed by previous Democratic and Republican administrations. We were reminded of this forcefully by my colleague, the junior Senator from Illinois, last week when he so eloquently emphasized statements in the Republican platform of 1960. It stated:

We advocate an early agreement by all nations to forgo nuclear tests in the atmosphere, and the suspension of other tests as verification techniques permit. We suspent the Fresident in any decision he may make to reevaluate the question of resumption of underground nuclear explosions testing.

Senator Dinxaun added:

I do not subscribe lightly to party platforms. I have served on the platform committee of my party when such scients forces were indited. We subvocate an early agreement by all nations to forgo mucies; tests in the atmosphere. This is what we seek in the treaty today.

economic nights as the President now requires them to do in certain cases under the directives already issued by him without any authority from Congress. The Government could require people to surrender the right to determine to whom they shall sell or rent their houses. if they participate in the housing program. If a veteran should borrow money under the Veterans Loan Fund Act, the veteran could be required to surrender in advance, as a condition to obtaining the loan, the right to determine to whom he would sell or lease or rent his house. Under the bill, the President would be permitted to use untold billions of dollars of congressional appropriations for the purpose of bribing or coercing parties into surrender of economic rights, of personal rights, of legal rights, and of property rights which have always been dear to the American people.

Mr. JOHNSTON. I am associated with two denominational institutions. I am very much interested in possible effects on such denominational institutions.

If the bill were to pass, since the States in most instances exempt the denominational institutions from paying taxes, in the future if they were to do any kind of business with the Federal Covernment, does the Senator think the Federal Government could tell them how to operate their institutions?

Mr ERVIN. If they were participating in any federally assisted programs or activities, the Federal Government could even tell them whom they should hire on their faculties. Under the terms of the bill, that could be if the Federal Government thought it necessary to prevent discrimination because of race or color of religion or taxonal origin.

Under the bill, the Federal Government would have the power to go into a reliaiously affiliated college participating in a federally assisted program and dictate that the college should take on the faculty some person who did not entertain the religion of those who supported that institution, if it concluded such action to be appropriate to prevent discrimination on the ground of creed. The bill would prohibit not rely racial discrimination, but also discrimination on account of one's greed.

Fitle VI is the most expansive blueprint for governmental tyranny which has ever been conceived in the mind of any man on the North American Continent

Mr JOHNSTON I thank the Senator for his answers

Mr. LONG of Louisiana Mr. President, will the Senator yield?

Mr. ERVIN. I vield for a question.

Mr. LONG of Louisiana. May I ask the Senator from North Carolina if, under so-called title VI, a great number of innocent persons would be made to suffer from decisions in regard to which they had no power to act whatever?

Mr. ERVIN. There is no question whatsoever about that. For example, under title VI the Federal Government could withhold junds for school aid to schools in an impacted area because the Federal Government wanted the schools to be desegregated. Under the decision

of the Supreme Court in Brown against Board of Education of Topeka, the question of what school a child shall attend is left to the child and his parents. The decision does not belong to the Federal Covernment. Yet, under the terms of the bill, the Federal Covernment could usurp the right of the child or its parents to determine that question.

Indeed, it could ignore the desires of the child or its parents, determine how the right of the child or its parents is to be exercised.

Mr. LONG of Louisians. Would it be possible, under title VI, for the Federal Government to hold up funds for programs completely unrelated to education?

Mr. ERVIN. Yes.

Mr. LONG of Louisians. Even though the complaint had nothing to do with the failure of a State to put a certain child in a certain school or place?

Mr. ERVIN. There is absolutely no limitation on the power that the bill would vest in the Federal Government in respect to federally assisted programs or activities insofar as racial relations, or religious relations, or questions of national origin are concerned.

Mr. LONG of Louisiana. Would it be possible under this program for the Federal Government to hold up funds, let us say, for aid to the aged, the disabled, and dependent children, because there was a practice of social segregation in restaurants in a State?

Mr ERVIN. No: not to that extent. Title II of the bill would cover such practices in restaurants, but the power given to the Federal Government under title VI applies only to programs or activities which are federally assisted from the financial viewpoint. However, that includes virtually every program or activity in which the Federal Government participates in any way.

Mr. LONG of Louisiana. Would the Senator mind giving me an example of how this mechanization could be triggered to cut off funds for the needy, the aged, dependent children, and the blind?

Mr. ERVIN. Under title VI, the Federal Government would have the power to cut off all Federal grants to a State under the Old-Age Assistance Act if it found that some individuals under the program were being discriminated against because of race or religion. Such action would cut off aid for the innocent to punish the allegedly guilty.

No further laws are needed in order to deal with any State or local official for denying any individual any right or privilege in any federally assisted program or activity. Under section 242 of title 18 of the United States Code, which was put on the law books long before the Benator from Louisiana and I were born, a State or local official who wilfully denies to any person, because of race or religion or national origin, or because of any other reason, or lack of reason, any right or privilege such person has under any act of Congress, is subject to prosecution and, upon conviction, can be fined and imprisoned.

Mr. LONG of Louisians. I thank the Senstor.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed, without amendment, the following bill and joint resolution of the Benate;

5 1066 A bill for the relief of the E. L. K. Oil Co.; and

YOUNG DEMOCRATS URGE TIES WITH CUBA

Mr. MILLER, Mr. President, in last night's Washington Evening Star appeared an article captioned "Democrats Urge Ties With Cuba." I read the article with profound shock, because the article states that at a convention of Young Democrats from 13 Western States at Berkeley, Calif., yesterday, several resolutions were adopted, including these: That the United States resume diplomatic relations with Cuba; that a nonaggression pact be signed between NATO and Communist Warsaw pact nations; that the United States withdraw its troops from South Vietnam; that the House Committee on Un-American Activities be abolished; and that the McCarran Internal Security Act be repealed.

I trust these views are not shared by the leaders of the Democratic Party in Washington. I am sure that all Senators await with a great interest and expectation a clear repudiation of these resolutions by what I am afraid was a most irresponsible meeting of irresponsible young people.

I ask unanimous consent that the article be printed in the Recogn at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

DEMOCRATS URGE TIES WITH CUBA

BERKELEY, CALIF. August 19.—Young Democrats from 13 Western States ended their convention in Perkeley yesterday with resolutions concerning Cuba, civil rights and American military deployment.

A total of 32 resolutions demanded, among other things, that the United States resume diplomatic relations with Cubs, that the Auslington be "carried out as planned," that a nonaggression pact be signed between NATO and Communist Warsaw Pact nations and that the United States withdraw its troops from South Vietnam.

Other points covered included demands for the abolition of the House Committee on Un-American Activities, repeal of the McCarran Internal Security Act, revision of the McWarran-Waiter Immigration Act, the elimination of compulsory arbitration in strikes and abolition of the death penalty. The delegates condemned various organi-

The delegates condemned various organisations, the aim of which they said, is to limit the civil rights of nonwhites. These included, the Young Democrats said, the John Birch Society, the Americans for Constitutional Action and the Christian Orusade.

HARASSMENT OF SOVIET JEWS Mr. JAVITS. Mr. President, a news dispatch from Moscow discloses that the